



General Assembly

January Session, 2011

Committee Bill No. 312

LCO No. 2542

02542SB00312INS

Referred to Committee on Insurance and Real Estate

Introduced by:
(INS)

**AN ACT ELIMINATING THE AGE CAP FOR HEALTH INSURANCE
COVERAGE FOR SPECIALIZED FORMULA.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 38a-492c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2012*):

3 (a) For purposes of this section:

4 (1) "Inherited metabolic disease" includes (A) a disease for which
5 newborn screening is required under section 19a-55; and (B) cystic
6 fibrosis.

7 (2) "Low protein modified food product" means a product
8 formulated to have less than one gram of protein per serving and
9 intended for the dietary treatment of an inherited metabolic disease
10 under the direction of a physician.

11 (3) "Amino acid modified preparation" means a product intended
12 for the dietary treatment of an inherited metabolic disease under the
13 direction of a physician.

14 (4) "Specialized formula" means a nutritional formula for [children
15 up to age twelve] individuals that is exempt from the general
16 requirements for nutritional labeling under the statutory and
17 regulatory guidelines of the federal Food and Drug Administration
18 and is intended for use solely under medical supervision in the dietary
19 management of specific diseases.

20 (b) Each individual health insurance policy providing coverage of
21 the type specified in subdivisions (1), (2), (4), [(6),] (11) and (12) of
22 section 38a-469 delivered, issued for delivery, [or] renewed, amended
23 or continued in this state [on or after October 1, 1997,] shall provide
24 coverage for amino acid modified preparations and low protein
25 modified food products for the treatment of inherited metabolic
26 diseases if the amino acid modified preparations or low protein
27 modified food products are prescribed for the therapeutic treatment of
28 inherited metabolic diseases and are administered under the direction
29 of a physician.

30 (c) Each individual health insurance policy providing coverage of
31 the type specified in subdivisions (1), (2), (4), [(6),] (11) and (12) of
32 section 38a-469 delivered, issued for delivery, [or] renewed, amended
33 or continued in this state [on or after October 1, 2007,] shall provide
34 coverage for specialized formulas when such specialized formulas are
35 medically necessary for the treatment of a disease or condition and are
36 administered under the direction of a physician.

37 (d) Such policy shall provide coverage for such preparations, food
38 products and formulas on the same basis as outpatient prescription
39 drugs.

40 Sec. 2. Section 38a-518c of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective January 1, 2012*):

42 (a) For purposes of this section:

43 (1) "Inherited metabolic disease" includes (A) a disease for which

44 newborn screening is required under section 19a-55; and (B) cystic
45 fibrosis.

46 (2) "Low protein modified food product" means a product
47 formulated to have less than one gram of protein per serving and
48 intended for the dietary treatment of an inherited metabolic disease
49 under the direction of a physician.

50 (3) "Amino acid modified preparation" means a product intended
51 for the dietary treatment of an inherited metabolic disease under the
52 direction of a physician.

53 (4) "Specialized formula" means a nutritional formula for [children
54 up to age twelve] individuals that is exempt from the general
55 requirements for nutritional labeling under the statutory and
56 regulatory guidelines of the federal Food and Drug Administration
57 and is intended for use solely under medical supervision in the dietary
58 management of specific diseases.

59 (b) Each group health insurance policy providing coverage of the
60 type specified in subdivisions (1), (2), (4), [(6),] (11) and (12) of section
61 38a-469 delivered, issued for delivery, [or] renewed, amended or
62 continued in this state [on or after October 1, 1997,] shall provide
63 coverage for amino acid modified preparations and low protein
64 modified food products for the treatment of inherited metabolic
65 diseases if the amino acid modified preparations or low protein
66 modified food products are prescribed for the therapeutic treatment of
67 inherited metabolic diseases and are administered under the direction
68 of a physician.

69 (c) Each group health insurance policy providing coverage of the
70 type specified in subdivisions (1), (2), (4), [(6),] (11) and (12) of section
71 38a-469 delivered, issued for delivery, [or] renewed, amended or
72 continued in this state [on or after October 1, 2007,] shall provide
73 coverage for specialized formulas when such specialized formulas are
74 medically necessary for the treatment of a disease or condition and are

75 administered under the direction of a physician.

76 (d) Such policy shall provide coverage for such preparations, food
77 products and formulas on the same basis as outpatient prescription
78 drugs.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2012</i>	38a-492c
Sec. 2	<i>January 1, 2012</i>	38a-518c

Statement of Purpose:

To eliminate the age cap for specialized formula covered under individual and group health insurance policies.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. SLOSSBERG, 14th Dist.; SEN. PRAGUE, 19th Dist.

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